

REMARKS

The following claims are pending in the application: 1 – 20

The following claims have been amended:

The following claims have been deleted:

The following claims have been added:

As a result of the foregoing Amendment, the following claims remain pending in the application:

The Rejection Under 35 U.S.C. §112, first paragraph

The Examiner has objected to the amendments filed 1-16-04; 2-19-04; and 9-3-04 as introducing new matter into the disclosure. Specifically, the Examiner takes the position that the following added material is not supported by the original disclosure:

Figure 4 contains an element of “manually entering at least a portion of said game accounting data into data collection unit (e.g., actuating a device to indicate an award of a corresponding prize).

Claim 1: the limitation of “wherein said data collection device is actuated manually for the entry of at least a portion of said arcade game data”.

Claim 9: the limitation of “wherein said data collection device is actuated manually for the entry of at least a portion of said arcade game data”.

Claim 18: the limitation of “manually entering at least a portion of said game accounting data into said data collection unit”.

Claim 20: the limitation of “wherein said data collection device is actuated by said game attendant for the entry of at least a portion of said arcade game data”.

The Examiner requires that the new matter be cancelled in the reply to the present Office Action.

Applicants respectfully disagree with the Examiner's position that the claim limitations objected too are not supported by the disclosure as originally filed. As specified at page 1, lines 20 - 22 "[b]y using an operator-actuated method of input, e.g., buttons or switches, the game operator may efficiently and accurately track and store prize dissemination information." Further, the "data collection unit may be configured with buttons, or switches or any other known activation device". Page 5, lines 5 - 6. "Once a prize has been won by a contestant, the corresponding button or actuation device is actuated by the game attendant to indicate to the system that the particular prize has been won." Page 5, lines 11 - 13. "Game accounting data may be comprised of: a game type identification, game identification, number of players total, number of players for a particular game cycle, total prizes given out, prize(s) given out for each game cycle, station where the winner sat, cost of sale for each prize, total revenue earned, total revenue earned per game cycle." Page 7, lines 11 - 13. As prize dissemination information is a type of game accounting data (i.e., prize(s) given out for each game cycle) and as an operator-actuated method of input such as buttons or switches requires manual actuation, it can be fairly said based on the description contained in the specification as originally filed that a data collection device is actuated manually for the entry of at least a portion of the arcade game data. Accordingly, Applicants respectfully submit that the Examiner's new matter objection may be properly withdrawn.

Objection to the Drawings

The Examiner objects to the drawings with respect to the subject matter shown in Figure 4 which is deemed to be new matter.

Applicants respectfully direct the Examiner to the discussion above and respectfully submit that the disclosure referenced therein provides adequate support for the element in Figure 4 of "Manually entering at least a portion of said game accounting data into data collection unit (e.g., Actuating a device to indicate an award of a corresponding prize)." Accordingly, Applicants submit that the entry of Figure 4 does not raise an issue of new matter. Therefore, Applicants respectfully request that the Examiner's outstanding rejection be withdrawn.

The Rejection Under 35 U.S.C. §102(b)

The Examiner rejects claims 1 – 5, 8 -14, and 17 – 20 under 35 U.S.C. §102(b) as being anticipated by Acres et al. (US Pat. No. 5,741,183).

Applicants respectfully submit that the Examiner's rejection of claims 1 – 5, 8 – 14, and 17 – 20 may be properly withdrawn as Acres et al. fails to anticipate the present invention as currently claimed. Acres is directed toward the collection of gaming data from a plurality of individual gaming stations wherein players compete against the machines odds rather than competing against one another. In fact, Acres is directed towards the type of game wherein a player may play for any period of time without ever winning or receiving a prize. Independent claims 1, 9, 18, and 20 (as presently amended) each state that the game is a competitive multiple player game – that is a game in which

two or more players compete against one another to determine a winner. Accordingly, each game has a winner. Although the Examiner notes that Acres discloses a progressive jackpot arrangement – this should not be confused with a competitive multiplayer game – because there is no competition amongst the players to win the jackpot – they are each individually competing against the machine odds to win the jackpot and there is no requirement that multiple players simultaneously compete in order for the jackpot to be won. Accordingly, Acres cannot be fairly said to anticipate the present invention as Acres is silent as to a game processing system for a competitive multiple player game. Therefore, Applicants respectfully submit that the Examiner's outstanding rejection may be properly withdrawn.

The Rejection Under 35 U.S.C. §103(a)

The Examiner rejects claims 6, 7, 15, and 16 under 35 U.S.C. §103(a) as being unpatentable over Acres et al. (US Pat. No. 5,741,183).

Applicants respectfully submit that the Examiner's outstanding rejection of claims 6, 7, 15 and 16 under 35 U.S.C. §103(a) may be properly withdrawn as Acres fails to teach or suggest each and every element of the invention as presently claimed – specifically, a game processing system for a competitive multiple player game. Accordingly, as Acres fails to teach or suggest this element, the reference cannot be fairly said to render the present invention an obvious variation of the prior art. Therefore, Applicants respectfully submit that the Examiner's outstanding rejection may be properly withdrawn.

CONCLUSION

In view of the foregoing amendment and accompanying remarks, the Applicants respectfully submit that the present application is properly in condition for allowance and may be passed to issuance upon payment of the appropriate fees.


Telephone inquiry to the undersigned in order to clarify or otherwise expedite prosecution of the subject application is respectfully encouraged.

Respectfully submitted,

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